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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/752,607	01/06/2004	Guangming Carl Shi	030517	6044

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QUALCOMM INCORPORATED
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EXAMINER

DANIEL JR, WILLIE J

ART UNIT PAPER NUMBER

2617

DATE MAILED: 09/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/752,607	Applicant(s) SHI, GUANGMING CARL	
	Examiner Willie J. Daniel, Jr.	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to applicant's amendment filed on 20 March 2006. **Claims 1-29** are now pending in the present application. This office action is made **Final**.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 9-15, 20-24, and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by **Kolev et al.** (hereinafter **Kolev**) (US 6,125,283).

Regarding **claim 1**, Kolev discloses a method of communications, comprising:

receiving an origination request for a call, including parameters (see col. 6, lines 28-34; col. 8, lines 8-11; col. 9, lines 20-24; Figs. 5-6B);

automatically identifying the parameters in the origination request for the call responsive to receiving the origination request for the call (see col. 6, lines 28-49; col. 9, lines 20-24; Figs. 5-6B);

automatically determining information associated with the origination request for the call responsive to receiving the origination request for the call (see col. 6, lines 28-49; col. 9, lines 20-24; Figs. 5-6B);

automatically selecting a communications network (20, 40) from a plurality of disparate communications networks (20, 40) (see col. 6, lines 18-28; Figs. 1-2 and 5-6B);

automatically determining that the call is allowed on the selected communication network responsive to the origination request for the call, the parameters, and the information (20, 40) (see col. 6, lines 32-49; col. 6, line 64 - col. 7, line 8; Fig. 4), where the user terminal (60) accesses information stored in memory (68) and SIM (72); and

automatically originating the call over the selected communications network (20, 40) responsive to determining that the call is allowed on the selected communications network (see col. 11, lines 5-8; col. 9, lines 20-24; Figs. 6A-B), where the network processes the call request of the user terminal.

Regarding **claim 2, 11, 13, and 22**, Kolev discloses the method of claim 1 wherein at least a portion of the information is accessed from at least one of a SIM card, a R-UIM card, and a USIM card (see col. 6, lines 1-9).

Regarding **claims 3, 14, and 23**, Kolev discloses the method of claim 1 wherein the call origination request comprises an indication that the call is an emergency call (see col. 8, lines 5-13).

Regarding **claims 4, 15, and 24**, Kolev discloses the method of claim 3 further comprising indicating that the call is allowed on each one of the plurality of communications networks (20, 40) (see col. 8, lines 5-20).

Regarding **claims 9 and 20**, Kolev discloses the method of claim 1 further comprising indicating that the call is allowed on the selected communications network (see col. 6, line 64 - col. 7, line 8; Figs. 6A-B).

Regarding **claim 10**, Kolev discloses a method of communications, comprising:
receiving an origination request for a call, including parameters (see col. 6, lines 28-34;

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col. 8, lines 8-11; col. 9, lines 20-24; Figs. 5-6B);

automatically identifying the parameters in the origination request for the call responsive to receiving the origination request for the call (see col. 6, lines 28-49; col. 9, lines 20-24; Figs. 5-6B);

automatically determining information associated with the origination request for the call responsive to receiving the origination request for the call (see col. 6, lines 28-49; col. 9, lines 20-24; Figs. 5-6B);

automatically selecting a communications network (20, 40) from a plurality of disparate communications networks (20, 40) (see col. 6, lines 18-28; Figs. 1-2 and 5-6B);

automatically determining that the call is not allowed on the selected communications network (20, 40) responsive to the origination request for the call, the parameters, and the information (see col. 6, lines 32-49; col. 6, line 64 - col. 7, line 8; col. 7, lines 22-29; col. 8, lines 49-59; col. 11, lines 8-9; Figs. 4, 6A, 6B “ref. 134, 126”), where the user terminal (60) accesses information stored in memory (68) and SIM (72); and

automatically preventing the call from being originating over the selected communications network (20, 40) responsive to determining that the call is not allowed on the selected network (see col. 7, lines 22-29; col. 8, lines 49-59; col. 11, lines 8-9; Figs. 6A, 6B “ref. 134, 126”), where the network access is not allowed or blocked.

Regarding **claim 12**, Kolev discloses a computer readable media embodying a program of instructions executable by a computer program to perform a method of communications (see Figs. 4-6B), the method comprising:

receiving an origination request for a call, including parameters (see col. 6, lines 28-34;

col. 8, lines 8-11; col. 9, lines 20-24; Figs. 5-6B);

automatically identifying the parameters in the origination request for the call responsive to receiving the origination request for the call (see col. 6, lines 28-49; col. 9, lines 20-24; Figs. 5-6B);

automatically determining information associated with the origination request for the call responsive to receiving the origination request for the call (see col. 6, lines 28-49; col. 9, lines 20-24; Figs. 5-6B);

automatically selecting a communications network (20, 40) from a plurality of disparate communications networks (20, 40) (see col. 6, lines 18-28; Figs. 1-2 and 5-6B);

automatically determining whether the call is allowed on the selected communication network responsive to the origination request for the call, the parameters, and the information (20, 40) (see col. 6, lines 32-49; col. 6, line 64 - col. 7, line 8; Fig. 4), where the user terminal (60) accesses information stored in memory (68) and SIM (72); and

automatically originating the call over the selected communications network (20, 40) if the call is determined to be allowed (see col. 11, lines 5-8; col. 9, lines 20-24; Figs. 6A-B), where the network processes the call request of the user terminal.

automatically preventing the call from being originating over the selected communications network (20, 40) if the call is determined not to be allowed (see col. 7, lines 22-29; col. 8, lines 49-59; col. 11, lines 8-9; Figs. 6A, 6B “ref. 134, 126”), where the network access is not allowed or blocked.

Regarding **claim 21**, Kolev discloses a user terminal (60) which reads on claimed “communications device” (see col. 6, 18-22; Figs. 4-6B), comprising:

an user interface (70) which reads on the claimed “input device” configured to receive an origination request for a call, including parameters (see col. 6, lines 28-36; col. 8, lines 8-11; col. 9, lines 20-24; Figs. 4-6B);

an user terminal memory (68) which reads on the claimed “memory device” for storing information (see col. 6, lines 32-34; Fig. 4)

a processor (66) configured to:

automatically identify the parameters in the origination request for the call responsive to receiving the origination request for the call (see col. 6, lines 28-49; col. 9, lines 20-24; Figs. 5-6B);

automatically determine the information associated with the origination request for the call responsive to receiving the origination request for the call (see col. 6, lines 28-49; col. 9, lines 20-24; Figs. 5-6B);

automatically select a communications network (20, 40) from a plurality of disparate communications networks (20, 40) (see col. 6, lines 18-28; Figs. 1-2; 4-6B),

automatically determine whether the call is allowed on the selected communications network (20, 40) responsive to the origination request for the call, the parameters, and the information (see col. 6, lines 32-49; col. 6, line 64 - col. 7, line 8; Fig. 4), where the user terminal (60) accesses information stored in memory (68) and SIM (72),

automatically originate the call over the selected communications network if the processor determines that the call is allowed (20, 40) (see col. 11, lines 5-8; Figs. 6A-B), where the network processes the call request of the user terminal, and

automatically prevent the call from being originating over the selected communications

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network (20, 40) if the processor determines that the call is not allowed (see col. 7, lines 22-29; col. 8, lines 49-59; col. 11, lines 8-9; Figs. 6A, 6B “ref. 134, 126”), where the network access is not allowed or blocked.

Regarding **claim 29**, Kolev discloses a user terminal (60) which reads on claimed “communications device” (see col. 6, 18-22; Figs. 4-6B), comprising:

means (66) for receiving an origination request for a call, including parameters (see col. 6, lines 28-36; col. 8, lines 8-11; col. 9, lines 20-24; Figs. 4-6B);

means (66) for automatically identifying the parameters in the origination request for the call responsive to receiving the origination request for the call (see col. 6, lines 28-49; col. 9, lines 20-24; Figs. 5-6B);

means (66) for automatically determining information associated with the origination request for the call responsive to receiving the origination request for the call (see col. 6, lines 28-49; col. 9, lines 20-24; Figs. 5-6B);

means (66) for automatically selecting a communications network (20, 40) from a plurality of disparate communications networks (20, 40) (see col. 6, lines 18-28; Figs. 1-2; 4-6B),

means (66) for automatically determining whether the call is allowed on the selected communications network (20, 40) responsive to the origination request for the call, the parameters, and the information (see col. 6, lines 32-49; col. 6, line 64 - col. 7, line 8; Fig. 4), where the user terminal (60) accesses information stored in memory (68) and SIM (72),

means (66) for automatically originating the call over the selected communications network (20, 40) if the call is determined to be allowed (see col. 11, lines 5-8; Figs. 6A-B),

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where the network processes the call request of the user terminal, and

means (66) for automatically preventing the call over the selected communications network (20, 40) if the call is determined not to be allowed (see col. 7, lines 22-29; col. 8, lines 49-59; col. 11, lines 8-9; Figs. 6A, 6B “ref. 134, 126”), where the network access is not allowed or blocked.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-8, 16-19, and 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kolev et al.** (hereinafter **Kolev**) (**US 6,125,283**) in view of **Feakes** (**US 2003/0103607 A1**).

Regarding **claims 5, 16, and 25**, **Kolev** discloses every limitation claimed as applied above in claims 1, 12, and 21. **Kolev** does not specifically disclose having the feature wherein the call origination request comprises a dialing string. However, the examiner maintains that the feature wherein the call origination request comprises a dialing string was well known in the art, as taught by **Feakes**.

In the same field of endeavor, **Feakes** discloses the feature wherein the call origination request comprises a dialing string (see pg. 4, [0072, 0075]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of **Kolev** and **Feakes** to have the feature

wherein the call origination request comprises a dialing string, in order to utilize the audio software, which interprets the codes received over the internet, as taught by Feakes.

Regarding **claims 6, 17, and 26**, Kolev discloses every limitation claimed as applied above in claims 5, 16, and 25. Kolev does not specifically disclose having the feature further comprising altering the dialing string before originating the call. However, the examiner maintains that the feature further comprising altering the dialing string before originating the call was well known in the art, as taught by Feakes.

In the same field of endeavor, Feakes discloses the feature further comprising altering the dialing string before originating the call (see pg. 4, [0072, 0075]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kolev and Feakes to have the feature further comprising altering the dialing string before originating the call, in order to utilize the audio software, which interprets the codes received over the internet, as taught by Feakes.

Regarding **claims 7, 18, and 27**, Kolev discloses every limitation claimed as applied above in claims 6, 17, and 26. Kolev does not specifically disclose having the feature wherein the altering of the dialing string comprises replacing the dialing string with a new dialing string. However, the examiner maintains that the feature wherein the altering of the dialing string comprises replacing the dialing string with a new dialing string was well known in the art, as taught by Feakes.

In the same field of endeavor, Feakes discloses the feature wherein the altering of the dialing string comprises replacing the dialing string with a new dialing string (see pg. 4, [0072, 0075]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kolev and Feakes to have the feature wherein the altering of the dialing string comprises replacing the dialing string with a new dialing string, in order to utilize the audio software, which interprets the codes received over the internet, as taught by Feakes.

Regarding **claims 8, 19, and 28**, Kolev discloses every limitation claimed as applied above in claims 6, 17, and 26. Kolev does not specifically disclose having the feature wherein the altering of the dialing string comprises replacing the dialing string with a service request code. However, the examiner maintains that the feature wherein the altering of the dialing string comprises replacing the dialing string with a service request code was well known in the art, as taught by Feakes.

In the same field of endeavor, Feakes discloses the feature wherein the altering of the dialing string comprises replacing the dialing string with a service request code (see pg. 4, [0072, 0075]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kolev and Feakes to have the feature wherein the altering of the dialing string comprises replacing the dialing string with a service request code, in order to utilize the audio software, which interprets the codes received over the internet, as taught by Feakes.

Response to Arguments

4. Applicant's arguments filed 20 March 2006 have been fully considered but they are not persuasive.

The Examiner respectfully disagrees with applicant's arguments as the applied reference(s) provide more than adequate support and to further clarify (see the above claims).

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Willie J. Daniel, Jr. whose telephone number is (571) 272-7907. The examiner can normally be reached on 8:30-4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor(s), Marsha D. Banks-Harold can be reached on (571) 272-7905 or Nick Corsaro can be reached on (571) 272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/WJD,JR/

WJD,JR
31 August 2006


ERIKA A. GARY
PRIMARY EXAMINER